

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

In the Advisory Action, as support for maintaining the rejection of claims 1-10 and 12 under 35 USC 102 as being anticipated by USP 7,031,506 ("Tsujii et al"), the Examiner asserts that "selecting an entire image reads on selecting part of an image since an entire image can be considered as a part of an image."

It is respectfully submitted, however, that selecting "part" of an image was not intended to, and does not, include selecting an "entire" image as asserted by the Examiner. Nevertheless, in order to advance prosecution in view of the Examiner's claim construction and interpretation of Tsujii et al, claim 1 has been amended to recite that the determining device selects only a part of the two-dimensional image data, smaller than an entire size of the two-dimensional image data, that corresponds to the output-size. In addition, independent claims 6 and 12 have been similarly amended to recite selecting only a part of the two-dimensional image data, smaller than an entire size of the two-dimensional image data, which corresponds to the output-size.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

It is respectfully submitted, moreover, that amended independent claims 1, 6 and 12 all clearly patentably distinguish over Tsujii et al, even as interpreted by the Examiner.

That is, as explained in the Response filed on November 20, 2007, with the structure of the claimed present invention, the image area for determination of an image processing condition is limited to the specified output-size (for example, 14 inches by 17 inches) in a scanning range (for example, 17 inches by 17 inches) of the image reader. The image data in the limited area is analyzed, and image processing is performed only on the limited area under the determined image processing condition. As a result, according to the claimed present invention, a stable image processing result can be achieved. See the disclosure in Fig. 3 of the present application and the disclosure in the specification at, for example, pages 16-17.

By contrast, as also explained in the Response filed on November 20, 2007, according to Tsujii et al the diagnostic support unit 16 analyzes the entire decoded image data 13 using circular filters to extract shadow candidates to determine positive area 17. And it is respectfully submitted that Tsujii et al does not teach that only a selected area, for example, the positive area 17, is analyzed to determine an image processing condition as according to the claimed present invention.

Thus, it is respectfully submitted that Tsujii et al clearly does not disclose selecting only a part of the two-dimensional image data, smaller than an entire size of the two-dimensional image data, as recited in amended independent claims 1, 6 and 12.

Moreover, it is respectfully submitted that Tsujii et al also clearly does not disclose, teach or suggest performing at least one of gradation processing, frequency processing, and dynamic range compression on the selected part of the two-dimensional image data based on the determined processing condition, as according to the claimed present invention, where the selected part is only a part of the two-dimensional image data, smaller than an entire size of the two-dimensional image data, as recited in amended independent claims 1, 6 and 12.

As disclosed in Tsujii et al at column 7, lines 33-38, the decoded image data 13 is input to a shadow detection unit for detecting shadows in the decoded image data 13. In Tsujii et al, a high-frequency image and a low-frequency image are produced from the input image data 13 using a high-pass filter 41 and a low-pass filter 42. Thus, in Tsujii et al, the entire image is passed through the high pass filter to perform frequency processing which controls the sharpness of the image, whereas according to the claimed present invention, image processing is performed only on a limited processing area (i.e., a selected part of the two-dimensional image data).

As pointed out in the Amendment filed May 9, 2007, and the Response filed on November 20, 2007, the claimed present invention enables image processing to be performed more precisely since the effect of image data not corresponding to the limited processing area which includes the ROI (i.e., non-ROI image data) can be eliminated. As a result, the claimed present invention enables a better quality ROI image to be obtained than in the case where the image processing condition is determined by analyzing image data corresponding to the entire image (including both the ROI and non-ROI) read by the image reading apparatus. And it is respectfully submitted that Tsujii et al cannot achieve this advantageous effect of the claimed present invention.

In view of the foregoing, and in view of the Response filed on November 20, 2007, it is respectfully submitted that the present invention as recited in amended independent claims 1, 6 and 12, and claims 2-5 and 7-10 respectively depending from claims 1 and 6, clearly patentably distinguishes over Tsujii et al, taken singly or in combination with any of the other prior art references of record, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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